

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

DAVID WILSON,  
*Plaintiff,*

-vs-

Case: 5:23-cv-01563 - JKP-ESC

**Jury Trial Demanded**

OPTIMUM WIRELESS, LLC,  
*Defendant.*

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**PROPOSED SCHEDULING ORDER**

Pursuant to Rule 16, Federal Rules of Civil Procedure, the Court issues the following scheduling order:

1. Offer of Settlement: Plaintiff submitted a written offer for settlement on February 14, 2024. Defendant responded in writing on February 29, 2024. Discussions are ongoing.

2. Amend/Supplement Pleadings, Joinder of Parties: Subject to Local Rule CV-15, the parties shall file all motions to amend or supplement pleadings or to join additional parties by **June 5, 2024**.

3. Designation of Witnesses, Experts, and Exhibits: All parties asserting claims for relief shall file their designation of potential witnesses, testifying experts, and proposed exhibits, and must SERVE on all parties but NOT FILE the materials required by Fed. R. Civ. P. 26 by **September 4, 2024**. Parties resisting claims for relief must file their designation of potential witnesses, testifying experts, and proposed exhibits, and must SERVE on all parties but NOT FILE the materials required by Fed. R. Civ. P. 26 by **September 18, 2024**. All designations of rebuttal

experts must be designated within **30** days of receipt of the report of the opposing expert.

4. Expert Testimony Objection: An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 must be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within **30** days of receipt of the written report of the expert's proposed testimony, or within **30** days of the expert's deposition, if a deposition is taken, whichever is later.

5. Discovery: The parties must complete discovery by **October 30, 2024**. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

6. Dispositive Motions: All dispositive motions shall be filed by **January 10, 2025**. Dispositive motions and responses to dispositive motions are limited to 20 pages in length, and any reply in support of a dispositive motion is limited to 10 pages in length. See Local Rule CV-7.

7. Mediation: The parties must mediate this case on or before **August 9, 2024**, and file a report in accordance with Local Rule CV-88 within one week of the completion of mediation.

8. The Court will set dates for trial and the final pretrial conference after ruling on any dispositive motions or after the deadline for such motions passes without a pertinent filing. At that time, the Court will also set appropriate deadlines for trial and pretrial conference matters.

SIGNED this the \_\_\_\_\_ day of \_\_\_\_\_.

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UNITED STATES DISTRICT JUDGE

AGREED:

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Attorney for Plaintiff

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Attorney for Defendant